

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
July 15, 2008**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the regular meeting minutes of July 1, 2008
 - B. Acceptance of the minutes of the Planning Commission meeting held June 26, 2008.
 - C. Appointment by the Mayor with City Council approval of two (2) attorney vacancies on the judicial nominating committee
 - D. Approval of and Authorization to Execute Budget Amendment Number 9 for Fiscal Year 2007-2008
 - E. Approval of the City-wide Liability and Property Loss Insurance Policy for Fiscal Year 2008-09
 - F. Approval of & authorization to execute contract with Tiger Natural Gas for third party natural gas supply
 - G. Approval of and authorization to execute an Interlocal Agreement between the Union School District and the City of Broken Arrow
 - H. Consideration of a Resolution authorizing the City Attorney to agree to entry of judgment in the case of the City of Broken Arrow, Oklahoma v. D. B. Rutherford, et al., Tulsa County District Court Case Number CJ-2008-01622 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a journal entry for the Court's approval
 - I. Approval of Resolution of Necessity to Condemn Property located at the Southeast Corner of Houston (81st Street) and Olive (129th E. Avenue), Tulsa County, Oklahoma, (South Olive Avenue Widening Project - Washington Street (91st) to Houston (81st)
 - J. Approval of traffic calming policy implementation for Oakridge, Cypress, Louisville between Garnett Rd & Willow Ave
 - K. Approval of PT07-118, conditional final plat of Berwick Fairways I (previously Berwick on Cedar Ridge Phase II), 35.19 acres, 85 lots, R-1, R-2 and PUD 182, one-quarter mile north of Florence Street (111th Street), one-quarter mile east of Mingo Road (97th East Avenue).
 - L. Approval of the Development and License Agreement and PT07-123, conditional final plat of Chris Nikel Extended, 3.39 acres, 1 lot, CH, one-quarter mile west of Aspen Avenue (145th East Avenue), on the north side of the Broken Arrow Expressway (State Highway 51)

- M. Approval of PT08-109, conditional final plat of Midfirst at Lynn Lane, 1.45 acres, 1 lot, CG, northwest corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th East Avenue).
- N. Approval of PT08-113, conditional final plat of Charleston at Stone Wood Hills, 2.20 acres, 1 lot, PUD 156/CH, north of the Broken Arrow Expressway (State Highway 51), one-half mile east of Elm Place (161st East Avenue) on the south side of Hillside Drive, in Stone Wood Hills
- O. Approval of rejection of bids for Elm Place Widening (Houston to Kenosha) and specifically find that the interests of the citizens of Broken Arrow are served by rejection
- P. Approval of bids received and award of the most advantageous bid to Becco Contractors, Inc., for construction of the Kenosha Widening from 23rd to Creek Turnpike
- Q. Approval of bids received and award of most advantageous for transporting storm debris from Nienhuis Park football field parking lot (1/3 mile east of 9th Street on Juneau Street) to the debris disposal site at Northeastern State University (southwest of Washington and 209th East Avenue)
- R. Acceptance of a Deed of Dedication and a Utility Easement from Forum Properties, LLC. (S3 T17N R14E) (Project: Indian Springs Centre)
- S. Approval of request for water service for temporary job trailer located at The Shops at Broken Arrow for the construction of Target
- T. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Presentation: Approval and presentation of the "Employee of the Quarter" award recognizing Johnny Conner for the term April through June 2008

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)

9. General Council Business

- A. Approval of BACP 95, 3.12 acres, IL, Level 6 to Level 3, less than one-half mile west of Aspen Avenue (145th East Avenue), one-quarter mile north of Kenosha Street (71st Street), on the north end of Elder Avenue
- B. Guidance for preparation of a Creek/Floodway drainage maintenance policy
- C. Approval of the General Fund expenditure control policy
- D. Presentation and annual report of the Economic Development Corporation
- E. Approval of and authorization to execute a contract between the City of Broken Arrow and the Economic Development Corporation
- F. Consideration and appointment of Broken Arrow Development Authority Board of County Commissioners

10. City Manager's Report

A. Fireworks Summary 2008

11. Preview Ordinances

A. Ordinance amending the BA Code on charges for sale of cemetery lots/spaces and charges for services provided by the cemetery staff

12. Ordinances

A. Ordinance No. 2978 - an ordinance closing a Mutual Access Easement on Lot 3, Block 1, Tuscan Plaza, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, repealing all ordinances to the contrary, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. Executive Session for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning the employment of the City Manager , and particularly with regard to his annual evaluation, under 25 O.S. § 307(B)(1); and litigation concerning City of Broken Arrow v. Glenna Russell Harper, et al., Wagoner County District Court Case Number CJ-2008-501, United Services Automobile Association v. David B. Williams, et al., Tulsa County District Court Case Number CJ-2008-2082, City of Broken Arrow v. H. Maurice Marquette, et al., Tulsa County District Court Case Number CJ-2007-348, and City of Broken Arrow v. H. Maurice Marquette and Michael Dale Chambers, et al., Tulsa County District Court Case Number CJ-2007-349, all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk